

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ELBA DELACRUZ ,  
Plaintiff,

-against-

MOUNT SINAI BROOKLYN,  
Defendant.

22-CV-1199 (VSB)

**ORDER**

VERNON S. BRODERICK, District Judge:

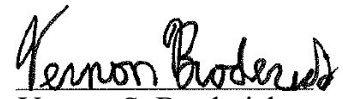
On April 18, 2022, this action was automatically referred to the Southern District of New York’s Alternative Dispute Resolution program of mediation (“SDNY Mediation Program”). (Doc. 8.) The mediator filed a final report on July 25, 2022, indicating that the mediation was unsuccessful. (Doc. 9.) Accordingly, I issued an Order and Notice of Initial Conference, (Doc. 10), and the parties submitted their proposed case management plan (“CMP”), (Doc. 12). In response to point 14 of the CMP, which states “Counsel for the parties propose the following alternative dispute resolution mechanism for this case,” the parties selected “Referral to the Southern District’s Mediation Program.” (*Id.*) After receiving an extension to their discovery deadline, the parties submitted a revised CMP and once again made the same selection under point 14. (Doc. 17.) Because the parties submitted both the CMP and revised CMP following the conclusion of the first mediation, I referred the parties to the SDNY Mediation Program in accordance with their selection. (Doc. 16.) However, I received a phone call from the Mediation Office informing me that the parties may not wish to proceed with mediation. It is hereby

ORDERED that by December 7, 2022, the parties submit a joint letter clarifying whether they intend to proceed with mediation for a second time or whether the selection under point 14 of the CMP was made in error and meant to reflect the initial referral to the SDNY Mediation

Program.

SO ORDERED.

Dated: December 2, 2022  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style.

Vernon S. Broderick  
United States District Judge